

REMARKS

The Final Office Action dated October 20, 2005, has been reviewed and the Examiner's comments carefully considered. By this paper, Applicants do not cancel or add any claims. Therefore, claims 30-43 are now pending, with claims 30-36 being withdrawn.

Applicants respectfully submit that the present application is in condition for allowance for at least the reasons that follow.

Indication of Allowable Subject Matter

Applicants thank Examiner Strimbu for the indication that claims 37-42 contain allowable subject matter.

Claim 43

Applicants note that claim 43 was not addressed in the present Office Action. Applicants amend claim 43 in a manner consistent with the pertinent amendments to claims 37-42, and respectfully submit that claim 43 is also allowable.

Specification Objections

The specification stands objected to as lacking antecedent basis for claim 37. As seen above, the specification has been amended on page 6 to recite, among other things, that the pinch judgment means is for judging whether a pinch exists based on a deviation between the forecasted motor load value and the motor load value of the present door position.

Claim Rejections under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 37-42 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, without acquiescing or agreeing to the rejection, Applicants amend claims 37, 38, 39, 40, 42 and 43 to overcome the indefinite rejections. Applicants submit that claims 37-42, and claim 43 are now allowable and respectfully requests that the rejection be withdrawn.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Strimbu is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,



By _____

Harold C. Wegner
Attorney for Applicant
Registration No. 25,258



Martin J. Cosenza
Registration No. 39,370

Date January 20, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4747
Facsimile: (202) 672-5399